

Cary B. Samowitz

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Attorneys for Defendant BDO SEIDMAN, LLP

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HARBINGER CAPITAL PARTNERS	:
MASTER FUND I, LTD.; AURELIUS	:
CAPITAL MASTER, LTD.; AURELIUS	:
CAPITAL PARTNERS, LP; ARROW	:
DISTRESSED SECURITIES FUND;	:
SCHULTZE MASTER FUND, LTD.; LATIGO	:
MASTER FUND, LTD.; UBS WILLOW	:
FUND, LLC; MISSOURI STATE	:
EMPLOYEES' RETIREMENT SYSTEM;	:
BLACKROCK GLOBAL FLOATING RATE	:
INCOME TRUST; BLACKROCK LIMITED	:
DURATION INCOME TRUST; BLACKROCK	:
SENIOR INCOME SERIES; BLACKROCK	:
SENIOR INCOME SERIES II; BLACKROCK	:
SENIOR INCOME SERIES III PLC;	:
MAGNETITE V CLO, LIMITED;	:
BLACKROCK SENIOR LOAN PORTFOLIO;	:
HARCH CLO II, LTD.; and RZB FINANCE	:
LLC,	:
	ORAL ARGUMENT REQUESTED
Plaintiffs,	:
-against-	:
WACHOVIA CAPITAL MARKETS, LLC	:
d/b/a WACHOVIA SECURITIES; BDO	:
SEIDMAN, LLP, GREGORY J. PODLUCKY,	:
and ROBERT LYNN,	:
Defendants.	:
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Index No. 07-CV-08139 (DC)

**NOTICE OF MOTION TO
DISMISS BY DEFENDANT
BDO SEIDMAN, LLP**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the
accompanying declaration of Cary B. Samowitz, dated November 13, 2007, and all other papers

and proceedings in this matter, defendant BDO Seidman, LLP, by its undersigned attorneys, DLA Piper US LLP, will move this Court before the Honorable Denny Chin, in the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007 on December 12, 2007 or as soon thereafter as may be heard, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing plaintiffs' complaint and granting such other and further relief as the Court deems just and proper.

Dated: November 13, 2007
New York, New York


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